

RULE REPORT

Department of Safety and Professional Services

Clearinghouse Rule No.: 11-047

Rule No.: Chapters Comm 41 and 45 (Become Chapters SPS 341 and 345 on January 1, 2012)

Relating to: Boilers and Pressure Vessels

Contact person for substantive questions:

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1. Basis and purpose of the proposed rule.

The main purpose of the rule changes is to update chapter SPS 341 to have it include newer editions of several referenced nationwide model codes and standards from the American Society of Mechanical Engineers (ASME) and the National Board of Boiler and Pressure Vessel Inspectors – such as the ASME *Boiler and Pressure Vessel Code*. The changes would also repeal any text that is either no longer used, redundant or not substantive, and would discontinue applying ASME nuclear power plant requirements that differ from the requirements applied by the federal Nuclear Regulatory Commission. The changes would also clarify and refine some of the administrative elements of the chapter, such as how authorized agents and insurance companies can participate in enforcing the chapter.

2. How the proposed rule advances relevant statutory goals or purposes.

Under sections 101.02 (1) and (15) (h) to (j) of the Statutes, the Department is required to establish rules and prescribe safeguards for protecting the life, health, safety and welfare of employees and frequenters of public buildings and places of employment. Under section 101.17 of the Statutes, installation and use of machines, mechanical devices and steam boilers must comply with the rules of the Department. The rule changes are consistent with these directives.

3. Changes to the rule analysis or fiscal estimate that was prepared for public hearing.

No substantive changes were made to the rule analysis and the fiscal estimate that were prepared for the public Hearing.